

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL DISTRICT  
IN AND FOR OSCEOLA COUNTY FLORIDA

JEAN PIERROT, as personal representative  
of the estate of FARRAH KRYTLE JEAN,

CASE NO.: 10 CA 1472 ON

Plaintiff,

vs.

HCA, INC, d/b/a OSCEOLA REGIONAL  
MEDICAL CENTER, OSCEOLA REGIONAL  
HOSPITAL, INC., d/b/a OSCEOLA REGIONAL  
MEDICAL CENTER and OSCEOLA  
MENTAL HEALTH, INC., d/b/a PARK  
PLACE BEHAVIORAL HEALTH CARE

Defendants.

FILED IN OFFICE  
CLERK OF THE COURT  
OSCEOLA CO., FLORIDA  
10 FEB 23 PM 2:07  
MALCOM THOMPSON  
CLERK OF COURT  
CIVIL

COMPLAINT

COMES NOW, Plaintiff, JEAN PIERROT, as personal representative of the estate of FARRAH KRYTLE JEAN, and sues the Defendants, HCA, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER, OSCEOLA REGIONAL HOSPITAL, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER and OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE, and states:

1. This is an action for damages in excess of Fifteen Thousand Dollars and NO/100 (\$15,000.00).
2. Plaintiff, Ms. FARRAH KRYTLE JEAN, deceased, was at all times material hereto a resident of Osceola County, Florida
3. At all times herein mentioned, Defendant HCA, INC. was the owner, operator, licensee and/or manager of the health facility known as OSCEOLA REGIONAL MEDICAL



CENTER and was authorized to do business and to operate a health facility subject to the provisions of Florida Statutes and state laws and regulations safeguarding the rights of Ms. FARRAH KRYSTLE JEAN, deceased. Defendant HCA, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER is a citizen of the State of Florida.

4. At all times herein mentioned, Defendant OSCEOLA REGIONAL HOSPITAL, INC., was the owner, operator, licensee and/or manager of the health facility known as OSCEOLA REGIONAL MEDICAL CENTER and was authorized to do business and to operate a health facility subject to the provisions of Florida Statutes and state laws and regulations safeguarding the rights of Ms. FARRAH KRYSTLE JEAN, deceased. Defendant OSCEOLA REGIONAL HOSPITAL, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER is a citizen of the State of Florida.

5. At all times herein mentioned, Defendant OSCEOLA MENTAL HEALTH, INC., was the owner, operator, licensee and/or manager of the mental health facility known as PARK PLACE BEHAVIORAL HEALTH CARE and was authorized to do business and to operate a mental health facility subject to the provisions of Chapter 394, Florida Statutes and state laws and regulations safeguarding the rights of Ms. FARRAH KRYSTLE JEAN (Ms. JEAN), deceased. Defendant OSCEOLA MENTAL HEALTH, INC., d/b/a PARK PLACE BEHAVIORAL HEALTH CARE. is a citizen of the State of Florida.

6. The acts and events giving rise to this complaint occurred in Kissimmee, Osceola County, Florida.

7. On or about February 22, 2009, Ms. Ms. JEAN was a twenty five year old pregnant woman who presented to the OSCEOLA REGIONAL MEDICAL CENTER throwing up blood, having migraine headaches. A lump on her neck was noted. Ms. JEAN'S lab work was abnormal.

She was not seen by a physician.

8. On March 9, 2008, Ms. JEAN returned to the OSCEOLA REGIONAL MEDICAL CENTER with complaints of pain. Ms. JEAN'S lab work was again abnormal.

9. On March 10, 2008, at 1341, Ms. JEAN returned to the OSCEOLA REGIONAL MEDICAL CENTER, again, with complaints of pain. At 1450, Ms. JEAN was declared medical stable. At 1530 Ms. JEAN, however, again complained of pain and was given medication. No documentation as to the location of the pain or the effect of the medication exist. No laboratory work or additional obstetrical ultrasounds were conducted.

10. At 1830 on March 10, 2008, Ms. FARRAH KRYSTLE JEAN effectively BAKER Acted Ms. JEAN and involuntarily transferred and admitted her to PARK PLACE BEHAVIORAL HEALTH CARE.

11. Ms. JEAN was then accepted by PARK PLACE BEHAVIORAL HEALTH CARE and admitted. Throughout her residency at PARK PLACE BEHAVIORAL HEALTH CARE, Ms. JEAN, suffered from diminished mental capacity or ability and required supervision and monitoring of her condition.

12. Ms. JEAN, presented to PARK PLACE BEHAVIORAL HEALTH CARE in distress, complaining of severe abdominal pain and other symptoms.

13. After PARK PLACE BEHAVIORAL HEALTH CARE screened Ms. JEAN, she was admitted to the facility's Crisis Stabilization Unit (CSU) for adults.

14. After Ms. JEAN was admitted to PARK PLACE BEHAVIORAL HEALTH CARE, her family was denied access to her, including communication. PARK PLACE BEHAVIORAL HEALTH CARE also refused to provide the family with information concerning Ms. JEAN'S

condition.

15. From the time of admission, Ms. JEAN complained of severe abdominal pains to employees or agents of PARK PLACE BEHAVIORAL HEALTH CARE.

16. PARK PLACE BEHAVIORAL HEALTH CARE disregarded Ms. JEAN'S complaints of severe pains and failed to take action to address the pain, monitor her condition, contact a physician, contact the family and transfer her to a hospital.

17. On March 13, 2008, Mr. JEAN PIERROT was contacted by PARK PLACE BEHAVIORAL HEALTH CARE and informed that Ms. JEAN had died "sometime" during the previous night.

18. Defendants HCA, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER, OSCEOLA REGIONAL HOSPITAL, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER and OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE failed to comply with a statutory requests for records to conduct a pre-suit evaluation of the care and treatment Defendants provided to Ms. JEAN.

19. Plaintiff, JEAN PIERROT is the personal representative of the estate of his daughter FARRAH KRYSTLE JEAN and presents this claim on behalf of his deceased daughter and her surviving sisters SANDRYN JEAN and KRYSTLE FARRAH JEAN.

20. Plaintiff JEAN PIERROT, on behalf of the estate of FARRAH KRYSTLE JEAN, has incurred costs and expenses including attorney's fees in the pursuit of this matter.

**COUNT I**  
**STATUTORY VIOLATIONS OF FLORIDA STATUTES CHAPTER 394.459**  
**AGAINST DEFENDANT OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE**  
**BEHAVIORAL HEALTH CARE**

21. Plaintiff realleges the allegations presented in paragraphs 1 through 20 and incorporates same herein by reference.

22. This is an action against Defendant OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE in excess of \$15,000.00 for statutory violations of FARRAH KRYSTLE JEAN'S rights as set forth in Florida Statutes § 394.459, et seq.

23. The statutory duties Defendant OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE, had to provide to Ms. JEAN include, but are not limited to:

(1) RIGHT TO INDIVIDUAL DIGNITY.--It is the policy of this state that the individual dignity of the patient shall be respected at all times and upon all occasions, including any occasion when the patient is taken into custody, held, or transported. Procedures, facilities, vehicles, and restraining devices utilized for criminals or those accused of crime shall not be used in connection with persons who have a mental illness, except for the protection of the patient or others. Persons who have a mental illness but who are not charged with a criminal offense shall not be detained or incarcerated in the jails of this state. A person who is receiving treatment for mental illness shall not be deprived of any constitutional rights. However, if such a person is adjudicated incapacitated, his or her rights may be limited to the same extent the rights of any incapacitated person are limited by law.

(4) QUALITY OF TREATMENT.--

(a) Each patient shall receive services, including, for a patient placed under s. 394.4655, those services included in the court order which are suited to his or her needs, and which shall be administered skillfully, safely, and humanely with full respect for the patient's dignity and personal integrity. Each patient shall receive such medical, vocational, social, educational, and rehabilitative services as his or her condition requires in order to live successfully in the community. In order to achieve this goal, the department is directed to coordinate its mental health programs with all other programs of the department and other state agencies.

(b) Receiving and treatment facilities shall develop and maintain, in a form accessible to and

readily understandable by patients, the following:

(c) A facility may not use seclusion or restraint for punishment, to compensate for inadequate staffing, or for the convenience of staff. Facilities shall ensure that all staff are made aware of these restrictions on the use of seclusion and restraint and shall make and maintain records which demonstrate that this information has been conveyed to individual staff members.

24. Defendant's OSCEOLA MENTAL HEALTH, INC., d/b/a PARK PLACE BEHAVIORAL HEALTH CARE, responsibilities to Ms. JEAN as outlined in Florida Statutes §394.459 and Florida Administrative Code 65E-5, are non-delegable and the Defendants have direct liability for violations, deprivations, and infringements by any person or entity under Defendant's control, direct or indirect, including employees, agents, consultants, and independent contractors, whether in-house or outside entities, individuals, agencies or pools caused by Defendant's policies, whether written or unwritten, or common practices.

25. In addition to Defendant's direct responsibilities under Florida Statutes §394.459, and as alleged in the preceding paragraphs, the Defendant has vicarious liability for the acts and omissions of all persons or entities under Defendant's control either direct or indirect, including entities, individuals, agencies or pools that caused or contributed to, whether directly or indirectly, any deprivation or infringement of Ms. JEAN mental health resident rights as set forth in Florida Statutes § 394.459.

26. The duty alleged in the immediate preceding paragraph includes, but is not limited to, proper training and supervision; proper hiring; background and referral checks; and proper retaining and dismissing of employees, agents, consultants and independent contractors.

27. During Ms. FARRAH KRYSTLE JEAN's residency at PARK PLACE

BEHAVIORAL HEALTH CARE she was subjected to abuse, neglect, physical pain, mental pain, anguish and humiliation, as direct and proximate result of the actions and/or inaction of the Defendant, its agents and/or employees.

28. Thus, notwithstanding the responsibility of the Defendant to provide FARRAH KRYSTEL JEAN with her statutorily mandated mental health patient rights, FARRAH KRYSTEL JEAN was deprived of such rights as enumerated in Florida Statutes § 394.459, by the acts and/or omissions of Defendant, which include, but are not limited to, the following:

- (a) failure to properly safeguard her person;
- (b) failure to provide adequate services, care and treatment;
- (c) failure to contact the physician in a timely manner;
- (d) failure to provide or request medical assistance in a timely manner;
- (e) failure to transport Ms. FARRAH KRYSTLE JEAN in a timely manner to safeguard her life and prevent premature death.

29. Thus, as a direct and proximate result of the Defendant's acts and/or omissions, FARRAH KRYSTEL JEAN was denied her mental health resident rights under § 394.459, Florida Statutes, and consequently, suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, inconvenience, physical impairment, loss of capacity for the enjoyment of life, humiliation, expense of hospitalization, medical and nursing care and treatment.

WHEREFORE, Plaintiff, JEAN PIERROT, on behalf of the estate of FARRAH KRYSTEL JEAN, demands judgment and all compensatory damages as allowed by law against the Defendant OSCEOLA MENTAL HEALTH, INC., d/b/a PARK PLACE BEHAVIORAL HEALTH CARE, and demands a trial by jury.

**COUNT II**  
**STATUTORY VIOLATIONS OF CHAPTER 415, FLORIDA STATUTES**  
**AGAINST DEFENDANT OSCEOLA MENTAL HEALTH, INC. d/b/a**  
**PARK PLACE BEHAVIORAL HEALTH CARE**

30. Plaintiff realleges the allegations presented in paragraphs 1 through 20 and incorporates same herein by reference.

31. This is an action against OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE in excess of \$15,000.00 for statutory violations of FARRAH KRYSTLE JEAN'S rights as set forth in Florida Statutes § 415, et seq.

32. Ms. FARRAH KRYSTLE JEAN was a mental health patient with diminished mental capacity and was a vulnerable adult in accordance with Florida Statutes § 415.102(26) and in the class of persons protected within the purview of Chapter 415, Florida Statutes.

33. The actions of Defendant OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE, as expressed in paragraphs 10 through 17 constitute abuse as such term is defined in Florida Statutes § 415.102 (1), neglect as such term is defined in Florida Statutes § 415.102 (15), and breach of fiduciary relationship as such term is defined in Florida Statutes § 415.102, et seq.

34. Defendant OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE, responsibilities to Ms. JEAN as outlined in Florida Statutes § 415.102, et seq., and Florida Administrative Code 65E-5, are non-delegable and the Defendant have direct liability for violations, deprivations, and infringements by any person or entity under Defendant's control, direct or indirect, including employees, agents, consultants, and independent contractors, whether in-house or outside entities, individuals, agencies or pools caused by



Defendant's policies, whether written or unwritten, or common practices.

35. In addition to Defendant's direct responsibilities under Florida Statutes § 415.102, et seq., and as alleged in the preceding paragraphs, the Defendant have vicarious liability for the acts and omissions of all persons or entities under Defendant's control either direct or indirect, including entities, individuals, agencies or pools that caused or contributed to, whether directly or indirectly, any deprivation or infringement of Ms. JEAN'S rights as vulnerable adult and as set forth in Florida Statutes § 415.102, et seq.

36. The duty alleged in the immediate preceding paragraph includes, but is not limited to, proper training and supervision; proper hiring; background and referral checks; and proper retaining and dismissing of employees, agents, consultants and independent contractors.

37. During Ms. FARRAH KRYSTLE JEAN'S residency at PARK PLACE BEHAVIORAL HEALTH CARE she was subjected to abuse, neglect, physical pain, mental pain, anguish and humiliation, as direct and proximate result of the actions and/or inaction of the Defendant, its agents and/or employees.

38. Thus, notwithstanding the responsibility of the Defendant to provide FARRAH KRYSTLE JEAN with her statutorily rights as a vulnerable adult, FARRAH KRYSTLE JEAN was deprived of such rights as enumerated in Florida Statutes § 415, et seq., by the acts and/or omissions of Defendant, which include, but are not limited to, the following:

- (a) failure to properly safeguard her person;
- (b) failure to provide adequate services, care and treatment;
- (c) failure to contact the physician in a timely manner;
- (d) failure to provide or request medical assistance in a timely manner;

(e) failure to transport Ms. FARRAH KRYSTLE JEAN in a timely manner to safeguard her life and prevent premature death.

39. Plaintiff JEAN PIERREOT, on behalf of the estate of FARRAH KRYSTEL JEAN, has incurred costs and expenses including attorney's fees in the pursuit of this matter.

40. Thus, as a direct and proximate result of the Defendant's acts and/or omissions, FARRAH KRYSTEL JEAN was denied her rights under Chapter 415, Florida Statutes, and consequently, suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, inconvenience, physical impairment, loss of capacity for the enjoyment of life, humiliation, expense of hospitalization, medical and nursing care and treatment.

WHEREFORE, Plaintiff, JEAN PIERREOT, on behalf of the estate of FARRAH KRYSTEL JEAN, demands judgment and all compensatory damages as allowed by law, including attorney's fees and costs as provided Chapter 415, Florida Statutes, against the Defendant OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE, and demands a trial by jury.

**COUNT III**  
**CLAIM FOR MEDICAL MALPRACTICE AGAINST**  
**HCA, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER**

41. Plaintiff realleges the allegations presented in paragraphs 1 through 20 and incorporates same herein by reference.

42. This is an action in excess of \$15,000.00 for medical malpractice against Defendants HCA, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER pursuant to the provisions of Chapter 766, Florida Statutes.

43. Ms. JEAN reported to the OSCEOLA REGIONAL MEDICAL CENTER

emergency room with complaints of pain.

44. Ms. JEAN was required to report to Defendant OSCEOLA REGIONAL MEDICAL CENTER Admissions Office for registration and production of identification, insurance information and other items.

45. Ms. JEAN was attended by staff of HCA, INC., employed and dressed as employees of OSCEOLA REGIONAL MEDICAL CENTER.

46. Ms. JEAN was reasonably led to believe that she was dealing with the OSCEOLA REGIONAL MEDICAL CENTER.

47. Defendant OSCEOLA REGIONAL MEDICAL CENTER made representations by their advertisements, the name on the building, the signage, the requirements for admissions, and other factors that she was being treated by employees and/or agents, real or apparent of OSCEOLA REGIONAL MEDICAL CENTER.

48. Ms. JEAN did in fact believe she was dealing with OSCEOLA REGIONAL MEDICAL CENTER and relied upon the above allegations in determining that she was being seen by employees and/or agents of OSCEOLA REGIONAL MEDICAL CENTER.

49. Thus, notwithstanding the responsibility of the Defendant to provide Ms. JEAN with the standard of care afforded to a health care patient, Ms. JEAN'S care and treatment fell below the standard of care by the acts and/or omissions of Defendants.

50. Thus, as a direct and proximate result of the Defendants' acts and/or omissions, Ms. JEAN was denied proper care as a health care patient and consequently, suffered bodily injury and resulting pain and suffering, loss of income, disability, disfigurement, mental anguish, inconvenience, physical impairment, loss of capacity for the enjoyment of life,

humiliation, expense of hospitalization, medical and nursing care and treatment.

WHEREFORE, Plaintiff, JEAN PIERROT, on behalf of the estate of FARRAH KRYSTEL JEAN, demands judgment and all compensatory damages as allowed by law against the Defendant HCA, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER, and demands a trial by jury.

**COUNT IV**  
**CLAIM FOR MEDICAL MALPRACTICE AGAINST**  
**OSCEOLA REGIONAL HOSPITAL, INC., d/b/a OSCEOLA REGIONAL**  
**MEDICAL CENTER**

51. Plaintiff realleges the allegations presented in paragraphs 1 through 20 and incorporates same herein by reference.

52. This is an action in excess of \$15,000.00 for medical malpractice against Defendants OSCEOLA REGIONAL HOSPITAL, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER pursuant to the provisions of Chapter 766, Florida Statutes.

53. Ms. JEAN reported to the OSCEOLA REGIONAL MEDICAL CENTER emergency room with complaints of pain.

54. Ms. JEAN was required to report to Defendant OSCEOLA REGIONAL MEDICAL CENTER Admissions Office for registration and production of identification, insurance information and other items.

55. Ms. JEAN was attended by staff of OSCEOLA REGIONAL MEDICAL CENTER, employed and dressed as employees of OSCEOLA REGIONAL MEDICAL CENTER.

56. Ms. JEAN was reasonably led to believe that she was dealing with the

OSCEOLA REGIONAL MEDICAL CENTER.

57. Defendant OSCEOLA REGIONAL MEDICAL CENTER made representations by their advertisements, the name on the building, the signage, the requirements for admissions, and other factors that she was being treated by employees and/or agents, real or apparent of OSCEOLA REGIONAL MEDICAL CENTER.

58. Ms. JEAN did in fact believe she was dealing with OSCEOLA REGIONAL MEDICAL CENTER and relied upon the above allegations in determining that she was being seen by employees and/or agents of OSCEOLA REGIONAL MEDICAL CENTER.

59. Thus, notwithstanding the responsibility of the Defendant to provide Ms. JEAN with the standard of care afforded to a health care patient, Ms. JEAN'S care and treatment fell below the standard of care by the acts and/or omissions of Defendants.

60. Thus, as a direct and proximate result of the Defendants' acts and/or omissions, Ms. JEAN was denied proper care as a health care patient and consequently, suffered bodily injury and resulting pain and suffering, loss of income, disability, disfigurement, mental anguish, inconvenience, physical impairment, loss of capacity for the enjoyment of life, humiliation, expense of hospitalization, medical and nursing care and treatment.

WHEREFORE, Plaintiff, JEAN PIERROT, on behalf of the estate of FARRAH KRYSTEL JEAN, demands judgment and all compensatory damages as allowed by law against the Defendant OSCEOLA REGIONAL HOSPITAL, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER, and demands a trial by jury.

**COUNT V**  
**CLAIM FOR WRONGFUL DEATH PURSUANT TO FLA. STAT. § 768.16., et seq.**  
**AGAINST OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL**  
**HEALTH CARE**

61. Plaintiff JEAN PIERREOT as Personal Representative for the Estate of FARRAH KRYSTLE JEAN, realleges paragraphs 1 through 20 and incorporates same as fully stated herein.

62. This is an action against OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE in excess of \$15,000.00 for statutory wrongful death of FARRAH KRYSTLE JEAN as set forth in Florida Statutes § 768.16, et seq.

63. Ms. FARRAH KRYSTLE JEAN was a mental health patient with diminished mental capacity and was a vulnerable adult in accordance with Florida Statutes § 415.102(26) and in the class of persons protected within the purview of Chapter 415, Florida Statutes.

64. The actions and or inactions of Defendant OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE, as expressed in paragraphs 1 through 18 constitute abuse as such term is defined in Florida Statutes § 415.102 (1), neglect as such term is defined in Florida Statutes § 415.102 (15), and breach of fiduciary relationship as such term is defined in Florida Statutes § 415.102, et seq.

65. The actions and or inactions of Defendant OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE, breached the duty owed to Ms. JEAN by the actions expressed in paragraphs 1 through 18, which include, but are not limited to, the following:

- (a) failure to properly safeguard her person;

- (b) failure to provide adequate services, care and treatment;
- (c) failure to contact the physician in a timely manner;
- (d) failure to provide or request medical assistance in a timely manner;
- (e) failure to transport Ms. FARRAH KRYSTLE JEAN in a timely manner  
safeguard her life and prevent premature death.

66. Defendant OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE, responsibilities to Ms. JEAN as outlined in Florida Statutes § 415.102, et seq., and Florida Administrative Code 65E-5, are non-delegable and the Defendant have direct liability for violations, deprivations, and infringements by any person or entity under Defendant's control, direct or indirect, including employees, agents, consultants, and independent contractors, whether in-house or outside entities, individuals, agencies or pools caused by Defendant's policies, whether written or unwritten, or common practices.

67. In addition to Defendant's direct responsibilities under Florida Statutes § 415.102, et seq., and as alleged in the preceding paragraphs, the Defendant have vicarious liability for the acts and omissions of all persons or entities under Defendant's control either direct or indirect, including entities, individuals, agencies or pools that caused or contributed to, whether directly or indirectly, any deprivation or infringement of Ms. JEAN'S rights as vulnerable adult and as set forth in Florida Statutes § 415.102, et seq.

68. The duty alleged in the immediate preceding paragraph includes, but is not limited to, proper training and supervision; proper hiring; background and referral checks; and proper retaining and dismissing of employees, agents, consultants and independent contractors.

69. During Ms. FARRAH KRYSTLE JEAN'S residency at PARK PLACE

BEHAVIORAL HEALTH CARE she was subjected to abuse, physical pain, mental pain, anguish and humiliation, and as direct and proximate result of the actions and/or inaction of the Defendant, its agents and/or employees, Ms. JEAN died on March 13, 2008.

69. The duty alleged in the immediate preceding paragraph includes, but is not limited to, proper budgeting for supplies; proper budgeting for staffing levels; proper training and supervision; proper staffing levels; proper hiring; background and referral checks; and proper retaining and dismissing of employees, agents, consultants and independent contractors.

70. Thus, as a direct and proximate result of the Defendant's acts and/or omissions, Plaintiff, JEAN PIERREOT, on behalf of the estate of FARRAH KRYSTLE JEAN, suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, inconvenience, physical impairment, loss of capacity for the enjoyment of life, humiliation, expense of hospitalization, loss of support and companionship, medical and nursing care and treatment and funeral expenses.

WHEREFORE, Plaintiff, JEAN PIERROT, on behalf of the estate of FARRAH KRYSTLE JEAN, demands judgment and all compensatory damages as allowed by law against the Defendant OSCEOLA MENTAL HEALTH, INC. d/b/a PARK PLACE BEHAVIORAL HEALTH CARE, and demands a trial by jury.

**COUNT VI**  
**CLAIM FOR WRONGFUL DEATH PURSUANT TO FLA. STAT. § 768.16., et seq.**  
**AGAINST HCA, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER**

71. Plaintiff JEAN PIERREOT as Personal Representative fo the Estate of FARRAH KRYSTLE JEAN, realleges paragraphs 1 through 20 and incorporates same as fully stated herein.



72. This is an action against HCA, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER in excess of \$15,000.00 for statutory wrongful death of FARRAH KRYSTEL JEAN as set forth in Florida Statutes § 768.16, et seq.

73. The actions and or inactions of Defendant HCA, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER, breached the duty owed to Ms. JEAN by the actions expressed in paragraphs 1 through 20, which include, but are not limited to, the following:

- (a) failure to properly safeguard her person;
- (b) failure to provide adequate services, care and treatment;
- (c) failure to provide or medical assistance in a timely manner;
- (d) failure to monitor, access, and provide treatment.

74. During Ms. FARRAH KRYSTLE JEAN'S she was subjected to abuse, physical pain, mental pain, anguish and humiliation, and as direct and proximate result of the actions and/or inaction of the Defendant, its agents and/or employees, Ms. JEAN died on March 13, 2008.

75. Thus, as a direct and proximate result of the Defendant's acts and/or omissions, Plaintiff, JEAN PIERREOT, on behalf of the estate of FARRAH KRYSTLE JEAN, suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, inconvenience, physical impairment, loss of capacity for the enjoyment of life, humiliation, expense of hospitalization, loss of support and companionship, medical and nursing care and treatment and funeral expenses.

WHEREFORE, Plaintiff, JEAN PIERROT, on behalf of the estate of FARRAH KRYSTLE JEAN, demands judgment and all compensatory damages as allowed by law

against the Defendant HCA, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER, and demands a trial by jury.

**COUNT VII**  
**CLAIM FOR WRONGFUL DEATH PURSUANT TO FLA. STAT. § 768.16., et seq.**  
**AGAINST OSCEOLA REGIONAL HOSPITAL, INC., d/b/a OSCEOLA REGIONAL**  
**MEDICAL CENTER**

76. Plaintiff JEAN PIERREOT as Personal Representative for the Estate of FARRAH KRYSTLE JEAN, realleges paragraphs 1 through 20 and incorporates same as fully stated herein.

77. This is an action against OSCEOLA REGIONAL HOSPITAL, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER in excess of \$15,000.00 for statutory wrongful death of FARRAH KRYSTLE JEAN as set forth in Florida Statutes § 768.16, et seq.

78. The actions and or inactions of Defendant OSCEOLA REGIONAL HOSPITAL, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER, breached the duty owed to Ms. JEAN by the actions expressed in paragraphs 1 through 20, which include, but are not limited to, the following:


- (a) failure to properly safeguard her person;
- (b) failure to provide adequate services, care and treatment;
- (c) failure to provide or medical assistance in a timely manner;
- (d) failure to monitor, access, and provide treatment.

79. Thus, as a direct and proximate result of the Defendant's acts and/or omissions, Plaintiff, JEAN PIERREOT, on behalf of the estate of FARRAH KRYSTLE JEAN, suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish,

inconvenience, physical impairment, loss of capacity for the enjoyment of life, humiliation, expense of hospitalization, loss of support and companionship, medical and nursing care and treatment and funeral expenses.

WHEREFORE, Plaintiff, JEAN PIERROT, on behalf of the estate of FARRAH KRYSTLE JEAN, demands judgment and all compensatory damages as allowed by law against the Defendant OSCEOLA REGIONAL HOSPITAL, INC., d/b/a OSCEOLA REGIONAL MEDICAL CENTER , and demands a trial by jury.

Dated this 2<sup>d</sup> of February 2010



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